

STATE OF NEW HAMPSHIRE
BOARD OF PHARMACY

February 18, 2009

A regular meeting of the New Hampshire Board of Pharmacy was held on **February 18, 2009** at the Board of Pharmacy office, 57 Regional Drive, Concord, New Hampshire. The meeting was **called to order at 9:01 a.m.** with President George Bowersox presiding.

I. ROLL CALL - AGENDA REVIEW - ANNOUNCEMENTS

PRESENT

George L. Bowersox, President
Ronald L. Petrin, Vice-President
Sandra B. Keans, Secretary
Kristina Genovese, Treasurer
Charles J. Fanaras, Member
Vahrij Manoukian, Member

ALSO PRESENT

Margaret A. Clifford, R.Ph.
Chief Compliance Investigator
Jason R. Richard
Interim Executive Director
Stephanie Croteau,
Board Intern – MCPHS-Manchester

II. REVIEW / ADOPTION OF MINUTES

Minutes of the **January 21, 2009** regular meeting of the Board were **accepted as submitted. (Genovese/Manoukian) Voted (unanimous).**

Minutes of the **January 21, 2009** non-public session of the Board, conducted under the provisions of NH RSA 91-A were **accepted as submitted. (Manoukian/Genovese). Voted (unanimous).**

III. REVIEW OF ACTION ITEMS

A. Annual Continuing Education Random Audit.

Audit was performed at 10:30 a.m. during the public meeting with members of the Continuing Education Advisory Council also in attendance. Notices to those pharmacists selected for audit were mailed on March 5, 2009 and are also posted on the Board's website.

B. Central Prescription Processing – Chapter Ph 1200.

Board approved *Final Proposal* with minor grammatical revisions (posted at: www.nh.gov/pharmacy/ph-1200-final-proposal.pdf) for submission / approval by the Joint Legislative Committee on Administrative Rules (JLCAR). Once approval is received from JLCAR, Board may then vote to adopt at the next monthly meeting after receipt of approval notice from JLCAR.

C. Rules development for Pharmacist Administration of Influenza Vaccines

Board agreed to work on rules at March 18, 2009 meeting. Board Intern, Stephanie Croteau, was assigned to research rules from other states that have implemented programs that allow pharmacists to administer influenza vaccines and to draft proposed rules for review at the next meeting of the Board.

D. Board of Pharmacy Policies & Procedures Development

Due to the time constraints of the February meeting, the Board agreed to schedule a *Policies & Procedures* development meeting at the conclusion of the March 18, 2009 meeting if time allows.

IV. LICENSING

A. Pharmacists

Requests for Reconsideration

CORRADO, Paul M.

Saco, ME

- Request for Board to reconsider its January 21, 2009 decision denying his license renewal due to an inaccuracy on his 2009 pharmacist renewal form.

Board met with Mr. Corrado at 9:30 a.m. and voted to allow Mr. Corrado to renew his NH pharmacist license for 2009 upon completion of a new renewal application with all questions regarding disciplinary history in other states correctly answered. Voted (unanimous).

B. Manufacturer/Wholesaler

Renewal Application

SOUTHWOOD PHARMACEUTICALS, INC.

60 Empire Drive
Lake Forest, CA 92630

Request to renew lapsed license. Recently reinstated registration with DEA which was revoked in December 2006.

Board voted to Table to March Board meeting (unanimous). Board requested that CCI Clifford obtain further information from applicant on Federal DEA registration status.

V. CONTINUING EDUCATION

Continuing Education Advisory Council (CEAC) Appointments

Motion (Petrin/Manoukian) to reappoint the following CEAC members. Voted (unanimous):

1. *Alexander Georgeou*
2. *Donald Messina*
3. *John Mini*
4. *Helen Pervanas*
5. *Ronald Petrin*
6. *Richard St. Hilaire*
7. *Michael Viggiano*

Motion (Petrin/Manoukian) to appoint the following pharmacists as new members to CEAC. Voted (unanimous):

1. *Cheryl Abel*
2. *Cheryl Durand*
3. *Stacy Ouellette*

The Board also elected to waive Ph 403.13(b) in order to allow the staggering of term expirations. The terms will expire as follows:

3-year terms to expire 2/1/2012

Alexander Georgeou
Donald Messina
John Mini

2-year terms to expire 2/1/2011

*Helen Pervanas
Ronald Petrin
Michael Viggiano*

1-year terms to expire 2/1/2010

*Cheryl Abel
Cheryl Durand
Stacy Ouellette
Richard St. Hilaire*

VI. **COMPLIANCE UNIT**

Activity Report

- January 2009
- January 2009 Compliance Call Log

**Motion (Manoukian/Genovese) to accept the report and log as submitted.
Voted (unanimous).**

VII. **OLD BUSINESS**

Appointment to the Naturopathic Medicine Formulary Council

Motion (Genovese/Keans) to reappoint Gregory S. McCrone to the Council for a 2-year term to expire 2/28/2011. Voted (unanimous).

VIII. **NEW BUSINESS**

A. Request for Board Support / Approval to Implement a Centralized Pharmacy Call Center – CVS Caremark

The Board viewed the presentation presented by Mr. Bill Irwin and Mr. Peter Simmons of CVS Caremark but was unable to offer approval unless the call center location in Rhode Island is able to be licensed in that state as a pharmacy (according to pending *central prescription processing rules – Ph 1200*, which require ‘a licensed pharmacy’ to perform central prescription processing functions).

B. Reciprocal Licensure for Pharmacists Who Have Not Practiced Pharmacy For Several Years (Request for Board Opinion)

Board voted to allow staff to process/issue NH licenses to pharmacists who are currently licensed in other states (yet have not practiced pharmacy for several years) as long as they do not have disciplinary history in the other state and have kept up with all the pharmacy continuing education requirements of the other state. Voted (unanimous).

C. Collaborative Practice Agreement (Smoking Cessation) – Dartmouth-Hitchcock Medical Center

Board reviewed the request but was unable to approve as RSA 318:16-a, III, d prohibits a pharmacist who is part of a collaborative agreement from having any connection to an onsite retail pharmacy. Board advised applicants contact their legislator to seek a change in the law (as the Board is not able to waive State Laws). Voted (unanimous).

The meeting was recessed at 12:20 P.M.

A non-public session was called at 12:20 P.M. with Commissioners Bowersox, Fanaras, Genovese, Keans, Manoukian and Petrin present.

Discussions and/or decisions occurring during this non-public (confidential) session were according to RSA 91-A:3, I & II and involved information pursuant to ongoing investigations as reported by the Board's Compliance Investigator(s) and/or the Office of the Attorney General, the disclosure of which would likely adversely affect a person's reputation and/or would render the Board's proposed action ineffective. The Board also discussed Personnel matters during this non-public session.

The Board, by roll call vote, resolved to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

The non-public session was adjourned at 1:25 P.M.

The regular meeting was reconvened at 1:25 P.M.

IX. ADJOURNED 1:28 P.M.

Respectfully Submitted,

Sandra B. Keans
Secretary
FOR THE BOARD